

## HOUSE BILL NO. 203

INTRODUCED BY B. DAVIES

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT UNLESS OTHERWISE EXPRESSLY PROVIDED BY STATUTE PUNITIVE DAMAGES ARE LIMITED TO TWICE THE AMOUNT OF COMPENSATORY DAMAGES; AMENDING SECTION 27-1-220, MCA; AND PROVIDING AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 27-1-220, MCA, is amended to read:

**"27-1-220. Punitive damages -- when allowed.** (1) Except as otherwise expressly provided by statute, a judge or jury may award, in addition to compensatory damages, punitive damages up to an amount no greater than twice the amount of compensatory damages for the sake of example and for the purpose of punishing a defendant.

(2) (a) Unless otherwise expressly provided by statute, punitive damages may not be recovered in any action arising from:

(i) contract; or

(ii) breach of contract.

(b) Subsection (2)(a) does not prohibit recovery of punitive damages in a products liability action or an action arising under 33-18-201."

**NEW SECTION. Section 2. Applicability.** [This act] applies to causes of action arising after [the effective date of this act].

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